

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DONNA VIZCAINO, et al.,

Plaintiffs,

v.

MICROSOFT CORPORATION, et al.,

Defendants.

CASE NO. C93-0178C

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter has come before the Court on two class members' "objections" (Dkt. Nos. 1316, 1318) to the Court's order of September 30, 2005 (Dkt. No. 1315), approving, among other items, service provider fees incurred in the course of this class action. Although the objections were not filed as motions for reconsideration, it is clear that reconsideration is the relief requested.

Local Rule CR 7(h)(1) provides that motions for reconsideration are disfavored and shall be denied absent a showing of manifest error or of new facts or legal authority which could not have been brought forth earlier with reasonable diligence. Here, the objecting class members believe that the fees charged by the service providers are too high and wish the Court to hold a hearing at which the fees may

1 be examined and audited for accuracy. This objection has no merit. The fees charged by the service  
2 providers have been a matter of public record throughout the course of this litigation. (*See, e.g.*, Dkt.  
3 Nos. 1283, 1284, 1285.) Proper objections should have been raised at the time the service providers'  
4 bills were submitted to the Court. In addition, the objecting class members' beliefs are not substantiated  
5 by any data. Indeed, the data available to the Court through the monthly reports and invoices submitted  
6 for its review support a finding that the service providers proceeded in a restrained and economical way.  
7 (*See, e.g.*, Dkt. No. 906, Rust Consulting status report documenting work done and volume of calls  
8 handled; Dkt. No. 1287, Damasco invoice showing that senior members minimized their billable time on  
9 the project.) For these reasons, the Court concludes that the objecting class members have not met their  
10 burden under CR 7(h)(1). Accordingly, the motions for reconsideration are DENIED.

11 DATED this 21st day of October, 2005.

12 BRUCE RIFKIN, Clerk of Court

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14 By /s/ C. Ledesma  
15 Deputy Clerk  
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